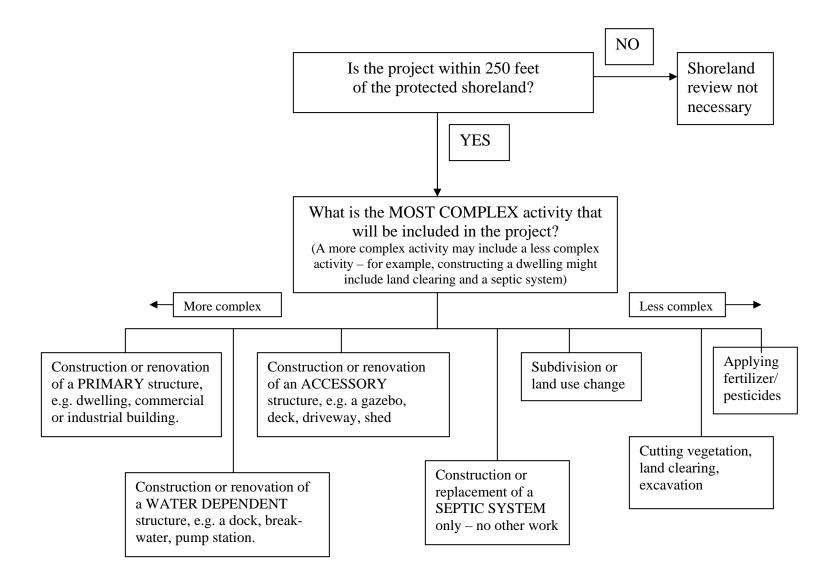
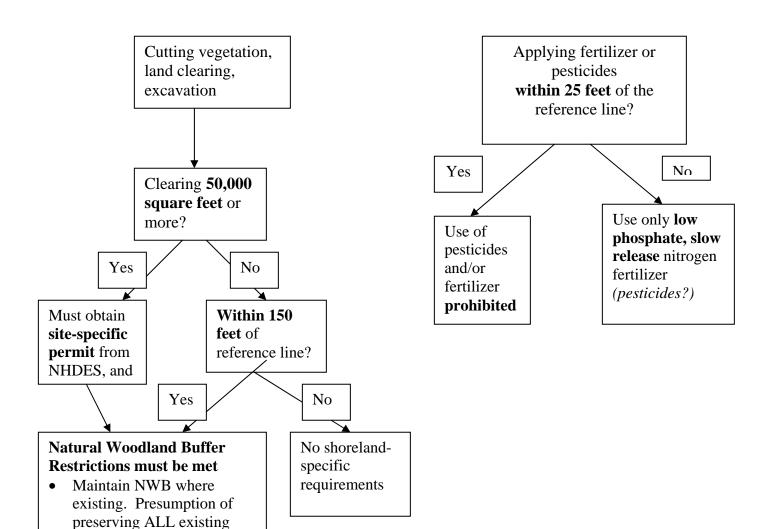
Shoreland Protection Act Decision Tree





its natural state if possible.Cutting permitted for

building envelope:

vegetation (trees, saplings shrubs and ground cover) in

- 25' out for primary structure, septic system, driveway
 (15' on water side)
- o 10' out for accessory structures
- Dead or diseased trees may be cut, but leave some for habitat if not a hazard.
- ALL stumps and root systems must remain intact in the ground within 50' of the reference line.
- Tree cutting cannot exceed 50% of basal area of trees or 50% basal area of saplings within a 5-year period.
- Must maintain a healthy, well-distributed stand of trees, saplings, shrubs and ground cover.



Subdivision or Land Use Change

RSA 483-B:6, I(e) RSA 483-B:9, V(d) and (e)

ALL subdivisions

and condo conversions within protected shoreland, regardless of lot size, **must be approved by DES**.

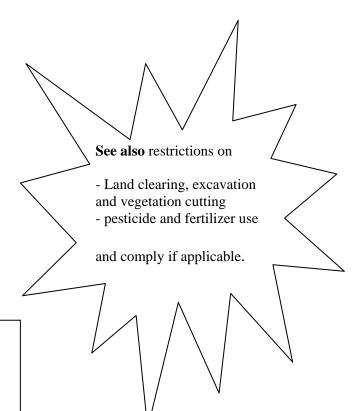
Is the proposed development residential?

NO

YES

- Lots served by municipal sewers must meet municipal lot standards
- Lots not served by municipal sewers must be at least 150 feet wide
- Additional DES minimum lot size standards may apply, based on soil type
- Conversion of existing structures to condominiums requires DES approval even if there will be no physical change to the structures.

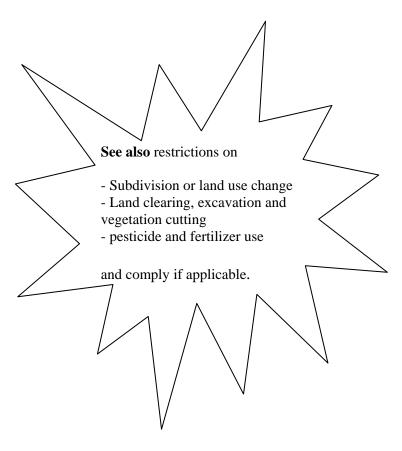
- Lots served by municipal sewers must meet municipal lot standards
- Lots not served by municipal sewers must be at least 150 feet wide
- For condominium or cluster development not served by municipal sewers, number of units cannot exceed one per 150 feet of shoreland frontage.
- Additional DES minimum lot size standards may apply, based on soil type
- Conversion of existing structures to condominiums requires DES approval even if there will be no physical change to the structures.



Construction or replacement of a SEPTIC SYSTEM only – no other work

- All new or replacement septic systems require approval from the DES subsurface systems bureau.
- For new systems, stricter setbacks (at least 75 feet) apply within the protected shoreland
- Replacement systems must meet the stricter setbacks "to the extent feasible"

As part of the subsurface application process, DES will consider any subsidiary shoreland protection issues, such as compliance with natural woodland buffer requirements.

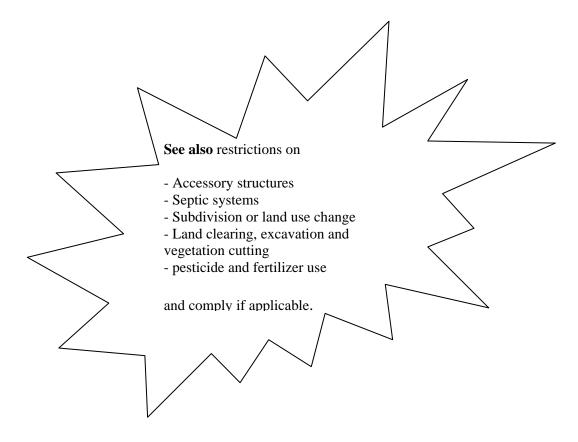


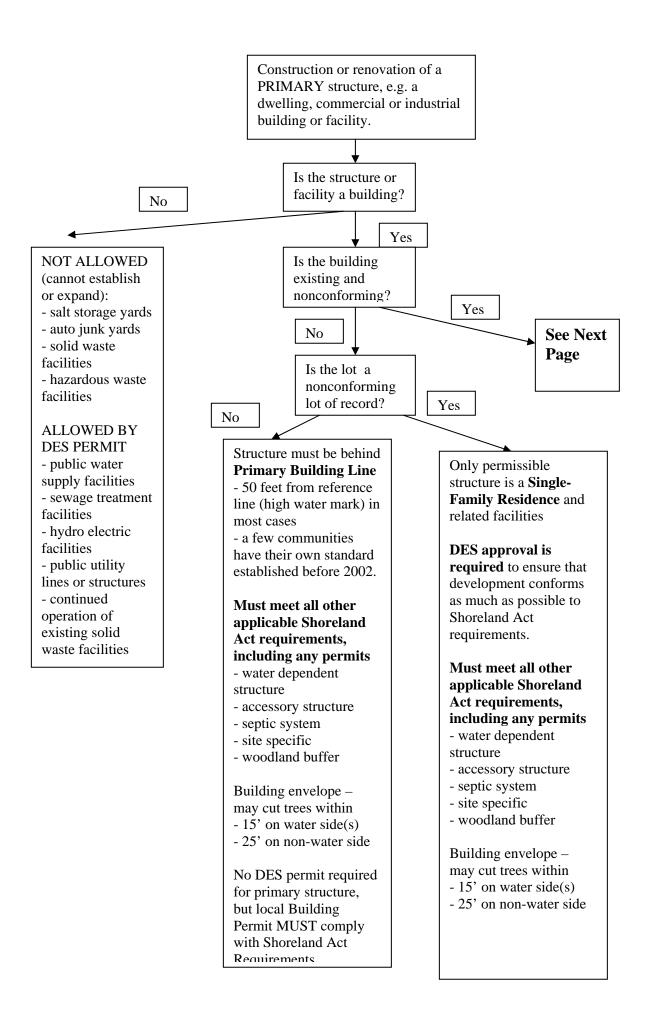
Construction or renovation of a WATER DEPENDENT structure, e.g. a dock, break-water, pump station.

A wetlands permit from DES is required for any structure or work:

- In public waters
- On the bank of public waters
- In jurisdictional wetlands
- That services or supports activities that require direct access to water.

As part of the wetlands application process, DES will consider any subsidiary shoreland protection issues, such as compliance with natural woodland buffer requirements.





Is the building existing and nonconforming? -> Yes

Is the building being repaired, renovated or replaced, WITHOUT ANY EXPANSION of the Existing footprint (2-dimensional) OR Outside dimensions (3-dimensional)?

No

Must obtain waiver from DES under RSA 483-B:11.

Standard: proposal must be more nearly conforming with Shoreland Act than existing condition.

Must meet all other applicable Shoreland Act requirements, including any permits

- water dependent structure
- accessory structure
- septic system (if increase load by adding bedrooms)
- site specific
- woodland buffer

Building envelope – may cut trees within

- 15' on water side(s)
- 25' on non-water side

Any local Building Permit MUST comply with Shoreland Act Requirements

Must meet all other applicable Shoreland Act requirements, including any permits

Yes

- water dependent structure
- accessory structure
- septic system (if increase load by adding bedrooms)
- site specific
- woodland buffer

Building envelope – may cut trees within

- 15' on water side(s)
- 25' on non-water side

Addition of a deck or open porch is allowed up to a maximum of 12 feet toward the reference line.

No DES permit required for primary structure, but local Building Permit MUST comply with Shoreland Act Requirements

***policy issue – should all of these go through DES?**